



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,417	10/30/2003	Joseph G. Laura	IDF 2563 (4000-16000)	7214
28003	7590	01/25/2008		
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER SEYE, ABDOU K	
			ART UNIT	PAPER NUMBER
			2194	
			MAIL DATE	DELIVERY MODE
			01/25/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/697,417

Applicant(s)

LAURA, JOSEPH G.

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32, 47-53 and 55-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32, 47-53 and 55-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/29/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

WILLIAM THOMPSON  
SUPERVISORY ENGINEER

***Response to Amendment***

1. The amendment filed on October 26, 2007 has been received and entered. The amendment amended Claims 1 and 5-10, and cancelled claims 33-46 and 54, and added new claims 55-69. The currently pending claims considered below are Claims 1-32, 47-53 and 55-69. The examiner interprets the applicant's invention as covering only the versions of Cobol program existing up to applicant's filing date but not including future versions of Cobol program.

**Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16, 19, 21-32, 48-53 and 56-69 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Miller et al (US 5754855) in view of E. reed Doke; Bill C. Hardgrave, (1998 John Wiley & Sons, Inc, "An Introduction to object Cobol").

Claims 1, 20, 47 and 55, Miller teaches a system and method for enabling events in a COBOL program, the method comprising:

maintaining, in a COBOL program, an index including a process identifier and an event associated with a child process (FIG. 1: 128, lines 55-57; COBOL Routine/program; FIG. 3:306, lines 40-45; the stack frame/child process associated with a thread of the COBOL routine/program; col. 11, lines 55-59; registration of stack frame and the event activities; col. 13, lines 1-67; registration process ).

placing the child process in a wait state when the child process is initialized ( col. 6, lines 58-63; event handler for the COBOL stack frame ; synchronous signaling; suspending thread for creating a wait state);

signaling, by the COBOL program, the child process to run using the process identifier and the event associated with the child process (col. 6, lines 60-62) .

However, Miller does not explicitly teach an index including a process identifier; and initializing, by the COBOL program, the child process;

Whereas, in the same field of endeavor E. REED / Bill C. disclose a factory methods and instance method with object COBOL Code including identification, environment and data division for the initialization and invocation of instances/child processes (Chapter 5, page 38-62).

It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Miller's invention with E. REED / Bill C's invention for providing an object COBOL library class program including several useful methods and instances functionalities which their invocations allow the

initialization of the child processes. One would be motivated to include this object oriented technique into COBOL programming in order to invoke statements to communicate between the classes, and to facilitate communication between classes and objects (E. REED / Bill C's; page 53).

As to claim 2, Miller teaches, wherein the COBOL program signals a technical layer using the process identifier and event associated with the child process and further wherein the technical layer signals the child process to run (FIG. 6: 124; the technical layer).

As to claim 3, Miller teaches, wherein the index maintained by the COBOL program maintains a plurality of identifiers and a plurality of events associated with a plurality of child processes (col. 11, lines 52-59; col. 13, lines 32-39).

As to claim 4, Miller teaches, wherein the child process is placed in the wait state by a technical layer (col. 6, lines 60-63).

As to claim 5, E. REED / Bill C further teaches, wherein the technical layer is further defined as a COBOL technical layer in communication with the COBOL program (Chapter 5, page 52- 55).

As to claims 6-10 they are rejected for the same reasons as claim 5 above.

As to claims 11-16, 19, 21-32, 48-53 and 56-69, they are rejected for the same reasons as the claims above.

4. Claims 17 and 18 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Miller et al (US 5754855) in view of E. reed Doke; Bill C. Hardgrave, (1998 John Wiley & Sons, Inc, "An Introduction to object Cobol") and further in view of Keith Haviland, Dina gray and Ben salama, Pearson education Limited, 1998 "Unix system programming, second edition".

Taking claim 17 and 18, in view of Miller, as applied to claims 16 and claims 13-15 above, teaches all the limitations except that of explicitly teaching an index including a process identifier; and initializing, by the COBOL program, the child process;

Whereas, in the same field of endeavor E. REED / Bill C. disclose a factory methods and instance method with object COBOL Code including identification, environment and data division for the initialization and invocation of instances (child processes) (Chapter 5, page 38-62).

It would be obvious to a person of ordinary skill in the art at the time the invention was made to modify Miller's invention with E. REED / Bill C's invention for providing an object COBOL library class program including several useful

methods and instances functionalities which their invocations allow the initialization of the child processes. One would be motivated to include this object oriented technique into COBOL programming in order to invoke statements to communicate between the classes, and to facilitate communication between classes and objects (E. REED / Bill C's; page 53).

The combination of Miller and E. REED / Bill C as discussed above shows the limitations claimed, except they do not specifically disclose using pipes and sockets for the sharing of resources and information among software routines.

In the same field of endeavor, inter-process communication, Keith discloses inter-process communication using Pipes and Sockets (Chapter 7, pages 151-158 and Chapter 10, pages 253-257).

It would be obvious to a person of ordinary skill in the art at the time the invention was made to not only include a factory of methods and instances of COBOL objects with identification of the instances/child processes; and the initialization and invocation of the instances/child processes, but also include pipes and sockets as taught by Keith in the system of Miller modified by E. REED / Bill C, in order to provide efficient sharing of information and resources in a network environment. One would have been motivated to provide socket and pipe communication for an efficient sharing of data among multiple processes.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-32, 47-53 and 55-69 have been considered but are moot in view of the new ground(s) of rejection.

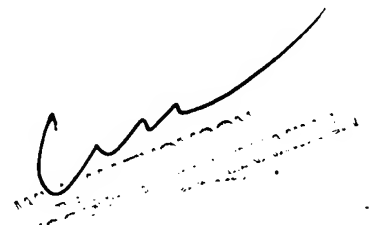
***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE**

**FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

AKS  
January 16, 2008

A handwritten signature in black ink, appearing to be 'C. M. ...', is written over a series of horizontal dashed lines.